

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS)
OF NORTHERN ILLINOIS WELFARE AND)
PENSION FUNDS,)
)
Plaintiffs,)
)
)
v.) No. 08 C 5580
)
MARCOTT ENTERPRISES, INC.,) Judge Pallmeyer
an Illinois corporation)
SCOTT SCHROEDER, Individually) Magistrate Judge Ashman
Defendant.)

MOTION FOR JUDGMENT IN SUM CERTAIN

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for entry of a default judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on September 30, 2008 for collection of delinquent contributions, attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Corporate service was made upon MARCOTT ENTERPRISES, INC., an Illinois corporation on October 9, 2008 and a copy of the proof of service was filed with the court on October 27, 2008.
3. Service was made upon SCOTT SCHROEDER, Individually on October 9, 2008, and a copy of the proof of service was filed with the court on October 27, 2008.

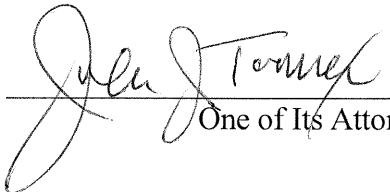
4. Defendants are now in default as to the Complaint and as supported by the attached Affidavits the sums due are:

\$46,005.61 Pension audit
\$49,450.00 Welfare audit
\$73,188.06 Pension Installment Note
\$118,166.42 Welfare Installment Note
\$925.00 Attorneys Fees
\$418.00 Court costs
\$288,153.09

WHEREFORE, Plaintiff prays for the entry of judgment against Defendants, MARCOTT ENTERPRISES, INC., an Illinois corporation and SCOTT SCHROEDER, Individually, jointly and severally, and in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS in the amount of \$288,153.09.

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS WELFARE AND
PENSION FUNDS

By:



John J. Toomey

One of Its Attorneys

JOHN J. TOOMEY
ARNOLD AND KADJAN
19 W. Jackson Boulevard
Chicago, Illinois 60604
(312) 236-0415